

Name Change for Children (Part 2)

Hi there. I'm Alex. Are you considering a new name for a child who is at least one year old? If so, you're in the right place.

I'll talk about the forms you need to file and about the importance of getting consent from parents, guardians, or custodians. You'll also have to publish your new name, but don't worry, I'll explain this part of the process, too. I also have information on how changing a child's name affects parental responsibilities, including child support. The last thing I'll cover is what happens when parents don't agree on changing a child's name.

It's important to note that this video explains the name change process in cases that are not in connection with an adoption or divorce. Also, if your child is under 12 months old and both parents agree, the Department of Health can make a name change for you.

Let's start with the forms.

The first step in the court process is to complete a Petition for Change of Name or form CC-DR-062. You must know both names of the biological parents. Also, attach a document that reflects your child's current name. Often, it's a copy of their birth certificate.

This process is easier when you have consent from the child's parents, guardians, and custodians.

Ask individuals to complete a Consent to Change of Name document, or form CC-DR-063. File the signed forms with your Petition. If you do not have signed consent forms when you file your petition, the clerk will issue you a summons, which is an official notice of your case. This means you must serve copies of your case documents on the child's other parent, guardians, or custodians.

Your next step is to file these forms in the circuit court in the county where the child lives and pay the filing fees.

But you're not done yet. Sorry. There's a lot of forms. You also need to complete and file two additional forms. First, there's a Notice for Publication (Minor) or form CC-DR-065. Second, you need a Certificate of Publication document, or form CC-DR-075.

You can locate all those forms at mdcourts.gov/namechange.

Now, let's get to specifics about that publication.

A notice of your request to change the child's name must be published in a newspaper of general circulation in the county where the child lives. This step gives other people a chance to object to your request to change the child's name. It's really important to remember to check with the circuit court clerk for details. Rules are different depending on where you live. In some jurisdictions, you are responsible for making publication arrangements. In other courts, the clerk arranges publication. There is one thing consistent in all courts, though. You pay for publication.

In very special circumstances, you can ask the court to waive or substitute the publication requirement. This is another step that differs by jurisdiction, so you definitely want to check with the clerk in your

court. That person can direct you on how to file what is called a Motion for Waiver of Publication or form CC-DR-114.

After the notice has been published, attach a copy to the Certificate of Publication and submit it to the court. But, if the clerk arranged publication for you, your case may not require this step. Keep in mind, if someone files an objection in your case, you will need to know how to respond. Watch part 4 in this series, *Objecting to Name Change*.

One issue that comes up a lot is how changing a child's name affects parent's legal status and duties.

The bottom line is that a legally changing a child's name has no effect on obligations or rights of the child's parents. As a parent, you still have the same duties to care for the child, pay child support, exercise visitation rights, and all other legal rights and obligations of parenthood.

You also need to understand what happens if parents don't agree on legally changing the name of a child?

If there is no agreement, then you may ask the court to decide about changing a child's name. Be prepared to show the court that the name change is in the child's best interest. You must also explain extreme circumstances, such as abandonment or serious misconduct that disgraces the child's current name. The judge will consider several other factors, such as how long the child has used their name and the strength of the child's relationship with each parent. The court will also look at the need of the child to identify with a new family unit.

This is a challenging legal burden. You might want to get legal advice before moving forward. Find a family court help center at mdcourts.gov/namechange.

OK, let's do a quick recap.

There are several forms to complete, including your petition and consent forms. Your case also case requires publication of the name change request in a newspaper, and this step requires you to complete two forms. It's important to remember, legally changing a child's name has no effect on parents' responsibilities. Finally, if parents don't agree on a name change for a child, you may ask the court to decide. If this is your situation, get some legal advice first.

That's it. You can always get more help at mdcourts.gov/namechange.